

Exhibit V

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

RICHARD LOWERY

PLAINTIFF,

v.

LILLIAN MILLS, in her official capacity
as Dean of the McCombs School of
Business at the University of Texas at
Austin; ETHAN BURRIS, in his official
capacity as Senior Associate Dean for
Academic Affairs of the McCombs School
of Business at the University of Texas-
Austin; and SHERIDAN TITTMAN, in his
official capacity as Finance Department
Chair for the McCombs School of
Business at the University of Texas-
Austin,

DEFENDANTS.

Case No. 1:23-CV-00129-DAE

**DEFENDANT ETHAN BURRIS' OBJECTIONS AND ANSWERS TO PLAINTIFF'S
DEPOSITION ON WRITTEN QUESTIONS**

TO: Plaintiff Richard Lowery, by and through his attorneys of record, Endel Kolde and Stephanie M. Brown, Institute for Free Speech, 1150 Connecticut Avenue, N.W., Suite 801, Washington, D.C. 20036, and Michael E. Lovins, Lovins | Tosclair, P.L.L.C., 1301 S. Capital of Texas Highway, Building A., Suite 135, Austin, Texas 78746.

Defendant Ethan Burris serves these objections and answers to Plaintiff Richard Lowery's Deposition on Written Questions in full compliance with the Court's April 5, 2023, order (Dkt. 29).

Respectfully submitted,

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By: /s/ Charles L. Babcock

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on April 17, 2023, I caused a copy of the foregoing pleading to be served upon counsel of record for all parties in compliance with the Federal Rules of Civil Procedure.

/s/ Charles L. Babcock

Charles L. Babcock

**OBJECTIONS AND ANSWERS TO
PLAINTIFF'S DEPOSITION ON WRITTEN QUESTIONS**

DEPOSITION QUESTION NO. 1. During the time period from June 30, 2022, through September 1, 2022, did Jay Hartzell ever communicate with you concerning anything Richard Lowery said during his appearance on the Richard Hanania (CSPI) podcast?

ANSWER: No.

DEPOSITION QUESTION NO. 2. During the time period from June 30, 2022 through September 1, 2022, did Jay Hartzell ever communicate with you concerning anything that Richard Lowery wrote in any online medium?

ANSWER: No.

DEPOSITION QUESTION NO. 3. If you answered yes to either of the preceding questions, please identify when you communicated with Jay Hartzell.

ANSWER: Not applicable.

DEPOSITION QUESTION NO. 4. Please describe in detail the contents of any communications with Jay Hartzell referenced in response to the preceding questions.

ANSWER: Not applicable.

DEPOSITION QUESTION NO. 5. During the time period from June 30, 2022, through September 1, 2022, did anyone other than Jay Hartzell communicate with you concerning anything Richard Lowery said during his appearance on the Richard Hanania (CSPI) podcast?

ANSWER: Yes.

DEPOSITION QUESTION NO. 6. During the time period from June 30, 2022, through September 1, 2022, did anyone other than Jay Hartzell communicate with you concerning anything that Richard Lowery wrote in any online medium?

ANSWER: Yes.

DEPOSITION QUESTION NO. 7. If you answered yes to either of the preceding two questions, please identify all persons who communicated with you concerning what Richard Lowery said or wrote.

ANSWER: Caitlin Mullaney, Lillian Mills, Carlos Carvalho, Jeff Graves, Amanda Cochran-McCall (University counsel), Adam Biggs (University counsel)

DEPOSITION QUESTION NO. 8. Please describe in detail the contents of any communications with any of the individuals identified in response to the preceding question.

ANSWER: Defendant is instructed not to answer this question on the basis of the attorney-client privilege only as to the contents of any communications with counsel. Defendant otherwise answers as follows:

Caitlin Mullaney	On August 5, 2022, Mullaney forwarded a YouTube link to Richard Hanania's July 2022 interview with Dr. Lowery on "Lessons from the Frontlines of the University Wars" and referenced minute 26 of the interview. I responded that I had not watched the entire interview.
Dean Mills Dr. Carvalho	As noted in my previous declaration, on August 12, 2022, Dean Mills and I met with Dr. Carvalho, Dr. Lowery's supervisor at the Salem Center, regarding multiple subjects, beginning with discussions concerning the Salem Center's performance. To prepare for this meeting, Dean Mills and I discussed several topics on or around August 9, 2022, including briefly touching on how Dr. Lowery impaired the Salem Center's operations.
Jeff Graves	On August 9, 2022, Chief Compliance Officer Jeff Graves forwarded an anonymous email to me and Dean Mills asking the Compliance Office and Faculty Council to review the Hanania podcast interview (Lessons from the Frontlines of the University Wars) for potential violations of ethical standards. Graves stated this appeared to be a personnel issue for Dean Mills and me to review. I did not respond.

DEPOSITION QUESTION NO. 9. During the time period from June 30, 2022 through November 1, 2022, did you ever exchange text messages with Jay Hartzell concerning Richard Lowery?

ANSWER: No.

DEPOSITION QUESTION NO. 10. During the time period from June 30, 2022 through November 1, 2022, if anyone ever communicated to you that Richard Lowery had "disparaged" any UT officials, please identify those individuals and what they communicated to you.

ANSWER: Defendant is instructed not to answer this question on the basis of the attorney-client privilege only as to the contents of any communications with counsel. Defendant otherwise answers as follows:

While it does not contain the word “disparaged,” the anonymous email forwarded by Jeff Graves on August 9, 2022, as discussed above, may be viewed as raising concerns about disparagement.

DECLARATION OF DEFENDANT ETHAN BURRIS

I, Ethan Burris, declare and state as follows:

My name is Ethan Burris. I am a defendant in this lawsuit. My answers to Plaintiff Richard Lowery's Deposition on Written Questions are within my personal knowledge and are true and correct.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on April 17, 2023.



Ethan Burris